



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

FILED

Application of Pacific Gas and Electric Company for Approval of the Retirement of Diablo Canyon Power Plant, Implementation of the Joint Proposal, and Recovery of Associated Costs through Proposed Ratemaking Mechanisms (U39E)	A.1608006 (Filed August 11, 2016)	11-04-16 12:33 PM
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and ☒)¹ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON WOMEN'S ENERGY MATTERS' SHOWING OF SIGNIFICANT
FINANCIAL HARDSHIP**

NOTE: After electronically filing a PDF copy of this Notice of Intent (NOI), please email the document in an MS WORD format to the Intervenor Compensation Program Coordinator at Icompcoordinator@cpuc.ca.gov.

Customer (party intending to claim intervenor compensation): WOMEN'S ENERGY MATTERS		
Assigned Commissioner: Michael Picker		Administrative Law Judge: Peter V. Allen
I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent (NOI) is true to my best knowledge, information and belief.		
Signature:		/s/ Jean Merrigan
Date: November 4, 2016	Printed Name:	JEAN MERRIGAN

PART I: PROCEDURAL ISSUES
(To be completed by the party ("customer") intending to claim intervenor compensation)

A. Status as "customer" (see Pub. Util. Code § 1802(b)): The party claims "customer" status because the party is (check one):	Applies (check)
1. A Category 1 customer is an actual customer whose self-interest in the proceeding arises primarily from his/her role as a customer of the utility and, at the same time, the customer must represent the broader interests of at least some	<input type="checkbox"/>

¹ DO NOT CHECK THIS BOX if a finding of significant financial hardship is not needed (in cases where there is a valid rebuttable presumption of eligibility (Part III(A)(3)) or significant financial hardship showing has been deferred to the intervenor compensation claim).

<p>other customers.</p> <p>In addition to describing your own interest in the proceeding you must show how your participation goes beyond just your own self-interest and will benefit other customers.</p>	
<p>2. A Category 2 customer is a representative who has been authorized by actual customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to represent the customer's views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group.</p> <p>A representative authorized by a customer must identify the residential customer(s) being represented and provide authorization from at least one customer. <i>See D.98-04-059 at 30.</i></p>	<input type="checkbox"/>
<p>3. A Category 3 customer is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation.² Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws. <i>See D.98-04-059, footnote at 3.</i></p>	<p>X</p>
<p>The party's explanation of its customer status must include the percentage of the intervenors members who are residential ratepayers or the percentage of the intervenors members who are customers receiving bundled electric service from an electrical corporation, and must include supporting documentation: (i.e., articles of incorporation or bylaws).</p> <p>Women's Energy Matters is a Category 3 non-profit organization working for a rapid transition to a clean, efficient, renewable energy system that is responsive to local communities and sensitive to environmental and economic justice. As stated in our Articles of Incorporation, WEM's purpose is:</p> <p>"(i) to create an international network of people, particularly but not exclusively women, who will educate themselves and others about all aspects of energy-including personal energy and food as well as technological energy-focusing on the need to make a rapid transition away from energy forms that damage the personal and ecological environment, and towards energy forms that can be sustained indefinitely and promote jobs, peace, prosperity and democracy, (ii) to develop and implement renewable energy and energy-efficiency projects, (iii) to represent the</p>	

² Intervenors representing either a group of residential customers or small commercial customers who receive bundled electric service from an electrical corporation, must indicate in Part I, Section A, Item #4 of this form, the percentage of their members who are residential customers or the percentage of their members who receive bundled electric service from an electrical corporation. The NOI may be rejected if this information is omitted.

<p>interests of consumers in administrative and judicial proceedings concerning public utilities matters, and (iv) to carry on other charitable and educational activities associated with these purposes as permitted by law."</p> <p>WEM has been representing California ratepayers before the CPUC since 2001. WEM represents the perspectives of customers (particularly women and low-income customers) who tend to be underrepresented in CPUC proceedings. The vast majority (over 90%) of WEM's subscribers are residential customers. WEM's Articles of Incorporation and Bylaws were previously submitted in I.1210013 with a filing date of 2-6-13 (published 5-9-13), and were most recently accepted by the Commission as demonstrating WEM's eligibility for intervenor compensation in D1606022, issued on June 10, 2016.</p>	
Identify all attached documents in Part IV. CERTIFICATE OF SERVICE	
<p>Do you have any direct economic interest in outcomes of the proceeding?³</p> <p>Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/></p> <p>If "Yes", explain:</p>	

B. Conflict of Interest (§ 1802.3)	Check
1. Is the customer a representative of a group representing the interests of small commercial customers who receive bundled electric service from an electrical corporation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. If the answer to the above question is "Yes", does the customer have a conflict arising from prior representation before the Commission?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Timely Filing of Notice of Intent (NOI) (§ 1804(a)(1)):	Check
1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: 10/6/2016	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the party's NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2a. The party's description of the reasons for filing its NOI at this other time:	N/A
2b. The party's information on the proceeding number, date, and decision number for any	

³ See Rule 17.1(e).

Commission decision, Commissioner ruling, Administrative Law Judge's ruling, or other document authorizing the filing of NOI at that other time: N/A

PART II: SCOPE OF ANTICIPATED PARTICIPATION
(To be completed by the party ("customer") intending to claim intervenor compensation)

A. Planned Participation (§ 1804(a)(2)(A)(i)):

The party's statement of the issues on which it plans to participate:

WEM will focus on the following issues:

- Retirement of Diablo Canyon Power Plant (including timing issues)
- Proposed Replacement Procurement (including timing of procurement and net GHG impacts of Diablo retirement)
- Proposed Ratemaking and Cost Allocation Issues

Our participation will touch on other issues, but to a lesser extent, including the proposed employee program, community impacts, recovery of license renewal costs, and land use decommissioning issues. If the Scoping Ruling significantly narrows or expands the categories currently identified as in scope, we will reassess.

The party's explanation of how it plans to avoid duplication of effort with other parties:

WEM will coordinate with intervenors in this proceeding who hold similar positions on issues. This will help avoid duplication, but also increase the effectiveness of our advocacy. We do not intend to spend a lot of time on the license recovery issue because Alliance for Nuclear Responsibility is focusing its efforts there and we expect they'll do a good job with it. Similarly, we expect that other intervenors will focus on the employee program issue, and the community impacts mitigation issues, and if we have nothing to offer that has not already been said, we are happy to focus more intently on the timing of retirement, timing of replacement procurement, cost recovery and cost allocation mechanisms. WEM intends to offer a unique approach and to complement and supplement others' efforts when appropriate.

The party's description of the nature and extent of the party's planned participation in this proceeding (to the extent that it is possible to describe on the date this NOI is filed).

WEM intends to participate fully in this proceeding. This includes conducting discovery; reviewing documents; filing testimony, briefs and comments; and participating in hearings and workshops (if any). We will produce original work that addresses the issues identified above. We will closely follow PG&E's and other intervenors' work product, to expand our understanding, but also to challenge false narratives when needed.

B. The party's itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)(ii)):

Item	Hours	Rate \$	Total \$	#
ATTORNEY, EXPERT, AND ADVOCATE FEES				
Jean Merrigan, Advocate	500	\$165/hr	\$82,500	
Robert Freehling,	350	\$190/hr	\$66,500	

Advocate/Expert				
Consultant (Economist)	60	\$250/hr	\$15,000	
Subtotal: \$164,000				
OTHER FEES				
Subtotal: \$				
COSTS				
Copying & Postage				\$500
Travel				\$500
Subtotal: \$1000				
TOTAL ESTIMATE: \$ 165,000				
Estimated Budget by Issues:				
<ul style="list-style-type: none"> • Retirement of Diablo Canyon Power Plant (including timing issues) 30% • Proposed Replacement Procurement (including timing of procurement and net GHG impacts of Diablo retirement) 30% • Proposed Ratemaking and Cost Allocation Issues 20% • General (includes other issues listed in Part II-A above, and responding to other intervenors' work product) 20% 				
<i>When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated Claim preparation time. Claim preparation time is typically compensated at ½ professional hourly rate.</i>				

PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP
(To be completed by party (“customer”) intending to claim intervenor compensation; see Instructions for options for providing this information)

A. The party claims “significant financial hardship” for its Intervenor Compensation Claim in this proceeding on the following basis:	Applies (check)
1. “[T]he customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate’s fees, expert witness fees, and other reasonable costs of participation” (§ 1802(g)); or	<input type="checkbox"/>
2. “[I]n the case of a group or organization, the economic interest of the Individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding” (§ 1802(g)).	<input checked="" type="checkbox"/>

<p>3. A § 1802(g) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption in this proceeding (§ 1804(b)(1)).</p> <p>Commission’s finding of significant financial hardship made in proceeding number: I.1210013</p> <p>Date of Administrative Law Judge’s Ruling (or CPUC Decision) in which the finding of significant financial hardship was made: D1606022 Issued June 10, 2016</p> <p>PLEASE NOTE: Decision D1606022 issued June 10, 2016 in I.1210013 made a finding of significant financial hardship, however, that finding was based on a previous decision so it does not technically create a rebuttable presumption in this proceeding. Therefore, WEM requests a finding that there is "significant financial hardship" and WEM is eligible for compensation (PUC sections 1802(g) and 1804(b)).</p>	
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<p>B. The party’s explanation of the factual basis for its claim of “significant financial hardship” (§ 1802(g)) (necessary documentation, if warranted, is attached to the NOI:</p> <p>As noted above, Decision D1606022 issued June 10, 2016 in I.1210013 affirmed WEM's significant financial hardship, however, D1606022's finding of significant financial hardship was based on a previous decision so it does not technically create a rebuttable presumption in this proceeding. Therefore, WEM requests a finding that there is "significant financial hardship" and WEM is eligible for compensation (PUC sections 1802(g) and 1804(b)).</p> <p>By its participation in this proceeding WEM will be an advocate for the interests of ratepayers, which is very likely to result in rates well below those proposed by PG&E. WEM has a successful history of achieving savings for ratepayers in prior CPUC proceedings dealing with energy efficiency, energy procurement, and nuclear power plant cost recovery. The share of rate savings that would be received by WEM's members would be a minute fraction of the savings achieved for all PG&E ratepayers. The economic interests of our individual members are extremely small in comparison with the costs of effective participation. The rate savings WEM will advocate for, and likely achieve for all ratepayers, far outweigh the benefits its members would receive if the Commission adopts WEM’s recommendations in this proceeding.</p>
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**PART IV: ATTACHMENTS DOCUMENTING SPECIFIC
ASSERTIONS MADE IN THIS NOTICE**
(The party (“customer”) intending to claim intervenor compensation
identifies and attaches documents; add rows as necessary)

Attachment No.	Description
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1	Certificate of Service

ADMINISTRATIVE LAW JUDGE RULING⁴
(Administrative Law Judge completes)

	Check all that apply
1. The Notice of Intent (NOI) is rejected for the following reasons:	<input type="checkbox"/>
a. The NOI has not demonstrated the party's status as a "customer" for the following reason(s):	<input type="checkbox"/>
b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):	<input type="checkbox"/>
c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s):	<input type="checkbox"/>
2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).	<input type="checkbox"/>
3. The NOI has not demonstrated significant financial hardship for the following reason(s):	<input type="checkbox"/>
4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)):	<input type="checkbox"/>

IT IS RULED that:

1. The Notice of Intent is rejected.	<input type="checkbox"/>
2. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	<input type="checkbox"/>
3. The customer has shown significant financial hardship.	<input type="checkbox"/>
4. The customer is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation.	<input type="checkbox"/>
5. Additional guidance is provided to the customer as set forth above.	<input type="checkbox"/>

⁴ A Ruling needs not be issued unless: (a) the NOI is deficient; (b) the Administrative Law Judge desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer's Intervenor Compensation Claim); or (c) the NOI has included a claim of "significant financial hardship" that requires a finding under § 1802(g).

Revised September 2014

Dated _____, at San Francisco, California.

Administrative Law Judge